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Attorney Docket No.: 018563-004920US Client Reference No.: AT00106.2

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

On November 23, 2004

TOWNSEND and TOWNSEND and CREW LLP

Io Ann Evangelista

D and CREW LLP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MUHAMMAD CHISHTI et al.

Application No.: 10/788,510

Filed: February 27, 2004

For: SYSTEM AND METHOD FOR

POSITIONING TEETH

Customer No.: 46718

Examiner: John J. Wilson

Art Unit: 3732

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER

37 CFR §1.97 and §1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Electronic copies of the references are enclosed on 1 CD-ROM disk.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

The references cited in the accompanying PTO/SB/08A and PTO/SB/08B, were identified by either or both parties in litigation between Align Technology, Inc., assignee of the

Application No.: 10/788,510

Page 2

above-referenced patent application, and Ormco Corporation in case no. SACV 03-16-GLT

(ANX) before the U.S. District Court, Central District of California, Southern Division, as being

potentially relevant to the design, fabrication, and/or use of removable orthodontic appliances

and/or to the use of computers or other automatic means for calculating final or intermediate

tooth positions for orthodontic treatment.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the

information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses

all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or

Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please

deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

James M. Heslin Reg. No. 29,541

By:

Scott M. Smith, M.D.

Reg. No. 48,268

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 10

	
	Complete if Known
Application Number	10/788,510
Filing Date	February 27, 2004
First Named Inventor	CHISHTI, MUHAMMAD
Art Unit	3732
Examiner Name	Wilson, John J.
Attorney Docket Number	018563-004920US

Document Number								
Examiner Initials*	Cite No.1	Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
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	AB	3,660,900	05-09-1972	Andrews				
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_	во	5,184,306	02-02-1993	Erdman et al.				

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Substitu	ute for form 1449A/P	то		Complete if Known			
				Application Number	10/788,510		
INFORMATION DISCLOSURE				Filing Date	February 27, 2004		
STA	STATEMENT BY APPLICANT		First Named Inventor	CHISHTI, MUHAMMAD			
				Art Unit	3732		
	(use as many sheets as necessary)		Examiner Name	Wilson, John J.			
Sheet	2	of	10	Attorney Docket Number	018563-004920US		

	U.S. PATENT DOCUMENTS+								
Examiner Initials*	Cite No.1	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear				
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Examiner Cite No.1	For	eign Patent Doo	cument		Name of Patentee or	Pages, Columns, Lines, Where Relevant		
		Country Code ³	Number ⁴	Kind Code ⁶ (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶
*	СТ	EP	091,876	A1	10-19-1983	Duret		
	CU	EP	299,490	A2	01-18-1989	Steinbichler et al.		
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	CW	EP	490,848	B1	06-17-1992	Andersson et al.		
	СХ	EP	541,500	A1	06-12-1998	Andersson et al.		

Examiner Signature	Date Considered		

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60297788 v1

Substitu	te for form 1449A/PT	го			Complete if Known
•				Application Number	10/788,510
INF	DRMATION	I DI	SCLOSURE	Filing Date	February 27, 2004
STA	TEMENT E	BY A	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD
				Art Unit	3732
	(use as many sh	eets a	s necessary)	Examiner Name	Wilson, John J.
Sheet	3	of	10	Attorney Docket Number	018563-004920US

				FOREIGN PA	TENT DOCUME	ENTS		
Examiner	Cite	For	eign Patent Docu	ıment		Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials*	No.1	Country Code ³	Number ⁴	Kind Code ^s (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶
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•	CZ	EP	774,933	B1	05-28-1997	Oden et al.		
	DA	FR	2,652,256	A1	03-29-1991	Jourda		
	DB	FR	2,369,828	A1	06-02-1978	Suyehiro		
	DC	wo	90/08,512	A1	08-09-1990	Lemcren		
	DD	wo	91/04,713	A1	04-18-1991	Jourda et al.		
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	DF	wo	98/44,865	A1	10-15-1998	Andersson		
·	DG	wo	98/58,596	A1	12-30-1998	Chishti et al.		

Examiner Signature	Date Considered	

Substitute for form 1449B/PTO				Complete if Known			
INITO		DIC	CLOCUDE	Application Number	10/788,510		
			CLOSURE	Filing Date	February 27, 2004		
STAT	EMENT B	SY A	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD		
				Art Unit	3732		
(1	(use as many sheets as necessary)		Examiner Name	Wilson, John J.			
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		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Т
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Examiner	Date	·
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		AN DIC	CLOCUDE	Application Number	10/788,510
			CLOSURE	Filing Date	February 27, 2004
STAT	STATEMENT BY APPLICANT			First Named Inventor	CHISHTI, MUHAMMAD
				Art Unit	3732
((use as many sheets as necessary)			Examiner Name	Wilson, John J.
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Examiner		Date					

<u> </u>		
Examiner	Date	
Signature	Considered	J

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Substitute for form 1449B/PTO Complete if Known Application Number 10/788,510 INFORMATION DISCLOSURE February 27, 2004 Filing Date STATEMENT BY APPLICANT First Named Inventor CHISHTI, MUHAMMAD Art Unit 3732 (use as many sheets as necessary) Wilson, John J. Examiner Name Sheet 10 Attorney Docket Number 018563-004920US

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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	EX	FELTON et al. "A computerized analysis of the shape and stability of mandibular arch form," Am. Journal of Orthodontics and Dentofacial Orthopedics, Vol. 92, No. 6 (Dec. 1987), pp. 478-483.	
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Examiner	Date]
Signature	Considered	

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Substitute	for form 1449B/F	то		Complete if Known		
INITO		N DICC	LOCUDE	Application Number	10/788,510	
			LOSURE	Filing Date	February 27, 2004	
STAT	STATEMENT BY APPLICANT			First Named Inventor	CHISHTI, MUHAMMAD	
				Art Unit	3732	
(ι	(use as many sheets as necessary)			Examiner Name	Wilson, John J.	
Sheet	7	of 1	0	Attorney Docket Number	018563-004920US	

		NON PATENT LITERATURE DOCUMENTS	_
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	FD	HOFFMANN et al., "Role of Cephalometry for Planning of Jaw Orthopedics and Jaw Surgery Procedures," (Article Summary in English, article in German), <i>Informationen</i> , (March 1991), pp. 375-396.	
	FE	HUCKINS, "CAD-CAM Generated Mandibular Model Prototype from MRI Data," AAOMS 1999, p. 96.	
	FF	Inside the ADA, Journal Of The American Dental Assoc., Vol. 118 (March 1989) 9 pages total.	
	FG	JCO Interviews, "Craig Andreiko , DDS, MS on the Eian and Orthos Systems", JCO, (Aug. 1994), pp. 459-468.	
	FH	JCO Interviews, "Dr. Homer W. Phillips on Computers in Orthodontic Practice, Part 2," JCO, (Dec. 1983), pp. 819-831.	
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Examiner	Date	· ·
Signature	Considered	
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Substitute f	for form 1449B/PTC)			Complete if Known
INFO	TALATION!	DIC	CLOCUDE	Application Number	10/788,510
	-	_	CLOSURE	Filing Date	February 27, 2004
STAT	EMENT B	Y A	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD
				Art Unit	3732
(u	ise as many she	ets as	necessary)	Examiner Name	Wilson, John J.
Sheet	8	of	10	Attorney Docket Number	018563-004920US

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Т
	FT	MCNAMARA et al., Orthodontic and Orthopedic Treatment in the Mixed Dentition, Needham Press, January 1993. pp.347-353.	
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l wes		N DIC	CL OCUDE	Application Number	10/788,510
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	GX	VAN DER LINDEN et al., Three-Dimensional Analysis of Dental Casts by Means of the Optocom," <i>J Dent Res</i> , July-August 1972, p. 1101.	
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-	НА	VÁRADY et al., "Reverse Engineering of Geometric Models - An Introduction," May 13, 1996, pp. 1-28.	
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